

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|                                      |   |                          |
|--------------------------------------|---|--------------------------|
| <b>LATOYA RIPPY,</b>                 | : |                          |
|                                      | : |                          |
| Plaintiff,                           | : |                          |
|                                      | : |                          |
| v.                                   | : | Civil Action No. 19-1839 |
|                                      | : |                          |
| <b>CITY OF PHILADELPHIA, et al.,</b> | : |                          |
|                                      | : |                          |
| Defendants.                          | : |                          |

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**DEFENDANT CITY OF PHILADELPHIA’S  
ANSWER TO PLAINTIFF’S THIRD AMENDED COMPLAINT**

Defendant City of Philadelphia (hereinafter, “Answering Defendant”), through undersigned counsel, answers Plaintiff’s Complaint as follows:

**AS TO NATURE OF THE CASE**

1. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
2. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**AS TO JURISDICTION AND VENUE**

3. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
4. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
5. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

6. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
7. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
8. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
9. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
10. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
11. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
12. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

13. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

**AS TO PARTIES**

14. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
15. Admitted in part, denied in part. It is admitted that the City of Philadelphia is a municipal corporation duly organized and operating under the rules and regulations set forth by the Commonwealth of Pennsylvania. The remaining allegations in this paragraph are denied.
16. Denied as stated. It is admitted that the City of Philadelphia has an internal operating department called the Department of Public Health. It is specifically denied that the City of Philadelphia jointly employed the individually named defendants in this complaint. All remaining averments are denied.
17. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
18. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
19. Admitted in part, denied in part. It is admitted that Plaintiff was employed by PHMC. reasonable investigation, Answering Defendant is without knowledge or information

sufficient to form a belief as to the truth of the remaining allegations contained in this paragraph. All allegations are therefore denied.

20. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
21. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
22. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
23. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
24. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
25. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
26. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

27. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
28. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
29. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
30. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
31. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**AS TO MATERIAL FACTS**

32. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
33. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
34. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
35. Denied.

36. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
37. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
38. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
39. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
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42. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

43. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
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48. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
49. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

50. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
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56. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.



57. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
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113. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
114. Invest
115. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
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120. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

121. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
122. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
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127. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

128. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
129. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
130. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
131. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
132. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
133. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
134. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

135. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
136. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
137. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
138. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
139. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
140. Denied. By way of further answer, It is denied that Answering Defendant ever discriminated against, retaliated against, or harassed Plaintiff.
141. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
142. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

143. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
144. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
145. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
146. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
147. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
148. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
149. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.

150. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.
151. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.
152. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.
153. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.
154. It is denied that Answering Defendant engaged in malicious, willful, outrageous conduct with full knowledge of the law. The remaining allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
155. It is denied that Answering Defendant subjected Plaintiff to unlawful discrimination or retaliation. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in this paragraph. All remaining allegations are therefore denied.
156. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

157. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

158. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.

**COUNT I**  
**PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA**  
**DISCRIMINATION UNDER TITLE VII**

159. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

160. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

161. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

162. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT II**  
**PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA**  
**DISCRIMINATION UNDER TITLE VII**

163. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

164. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

165. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

166. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT III**  
**PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA**  
**TITLE VII HOSTILE WORK ENVIRONMENT**

167. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

168. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

169. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

170. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

171. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

172. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.



173. It is denied that Answering Defendant engaged in severe or pervasive illegal conduct because of Plaintiff's legally protected characteristics. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining factual averments contained in this paragraph. All factual allegations are therefore denied. Moreover, the remaining allegations contained in this paragraph constitute conclusions of law and/or Plaintiff's statement of the case and, therefore, require no response. To the extent a response to those allegations is required, denied.
174. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
175. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
176. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
177. It is denied that Answering Defendant "knew that the racially derogatory and sexually explicit verbally- and physically- harassing (sic) filled Plaintiff's Workplace." After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in this paragraph. All remaining allegations are therefore denied.

178. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
179. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.
180. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
181. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
182. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.
183. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
184. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
185. It is denied that Answering Defendant provided a futile avenue for complaint. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in this paragraph. All remaining allegations are therefore denied.

186. It is denied that Answering Defendant retaliated against Plaintiff for her complaints. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in this paragraph. All remaining allegations are therefore denied.
187. After reasonable investigation, Answering Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in this paragraph. All allegations are therefore denied.
188. Answering Defendant has no knowledge or means of ascertaining the truth or falsity of the allegations respecting the injuries, sufferings and/or damages alleged to have been sustained by Plaintiff and the same are accordingly denied.

**WHEREFORE,** Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT IV**  
**PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA**  
**RETALIATION UNDER TITLE VII**

189. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.
190. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
191. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE,** Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT V**  
**PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA**  
**DISCRIMINATION UNDER STATE LAW**

192. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.
193. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
194. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.
195. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE,** Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT VI**  
**PLAINTIFF V. INDIVIDUAL DEFENDANTS**  
**AIDING AND ABETTING UNDER STATE LAW**

196. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.
197. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
198. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

**WHEREFORE,** Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT VII  
PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA  
RETALIATION UNDER STATE LAW**

199. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

200. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

201. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE,** Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT VIII  
PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA  
DISCRIMINATION UNDER PFPO**

202. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

203. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

204. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

205. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT IX  
PLAINTIFF V. INDIVIDUAL DEFENDANTS  
AIDING AND ABETTING UNDER PFPO**

206. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

207. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

208. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT X  
PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA  
RETALIATION UNDER PFPO**

209. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

210. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

211. The allegations contained in this paragraph constitute conclusions of law and, therefore, require no response. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT XI**  
**PLAINTIFF V. PHMC, GAYMON, ARRIETA, and WALKER-BABAN**  
**DISCRIMINATION UNDER 42 U.S.C. SECTION 1981**

212. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.
213. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.
214. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT XII**  
**PLAINTIFF V. PHMC, GAYMON, ARRIETA, and WALKER-BABAN**  
**RETALIATION UNDER 42 U.S.C. SECTION 1981**

215. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.
216. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

217. The allegations contained in this paragraph are addressed to individuals, parties, or entities other than Answering Defendant. Therefore, no response is required. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT XIII**  
**PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA**  
**DISCRIMINATION UNDER 42 U.S.C. SECTION 1983**

218. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

219. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

220. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

221. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

222. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

223. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

224. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

225. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.



226. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

227. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

228. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**COUNT XIV  
PLAINTIFF V. DEFENDANT CITY OF PHILADELPHIA  
RETALIATION UNDER 42 U.S.C. SECTION 1983**

229. Answering Defendant incorporates by reference its answers to the preceding paragraphs, inclusive, as though fully set forth herein.

230. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

231. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

232. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

233. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

234. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

235. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
236. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
237. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
238. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
239. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
240. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
241. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.
242. This claim has been dismissed by court order. Accordingly, no response is required. To the extent a response is required, denied.

**WHEREFORE,** Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

**JURY DEMAND**

Answering Defendant demands a jury trial in this action.

**AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE**

Plaintiff has failed to state a claim upon which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

Answering Defendant asserts all of the defenses, immunities, and limitations of damages available to it under the “Political Subdivision Tort Claims Act” and aver that Plaintiff’s remedies are limited exclusively thereto. Act of Oct 5, 1980, No. 142, P.L. 693, 42 Pa. C.S.A. § 8541 et seq.

**THIRD AFFIRMATIVE DEFENSE**

Plaintiff’s claim may be barred because Plaintiff failed to exhaust the applicable administrative remedies.

**FOURTH AFFIRMATIVE DEFENSE**

Answering Defendant has in place a strong policy against discrimination and Defendant otherwise exercised reasonable care to prevent and correct promptly any discrimination to which Plaintiff claims he/she was subjected, and Plaintiff unreasonably failed to take advantage of the preventive or corrective opportunities provided by Defendant or to avoid harm otherwise.

**FIFTH AFFIRMATIVE DEFENSE**

Plaintiff’s claims may be barred in whole or in part by the applicable statute of limitations and/or the doctrine of laches.

**WHEREFORE**, Answering Defendant denies that it is liable on the cause of actions declared herein, and demands judgment in its favor plus interest and costs.

Respectfully Submitted,

Respectfully Submitted,

CITY OF PHILADELPHIA  
LAW DEPARTMENT

Date: March 11, 2020

BY: s/ Frank E. Wehr II  
Frank E. Wehr II  
Assistant City Solicitor  
Pa. Attorney ID No. 318464  
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Philadelphia, PA 19102  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|                                      |   |                          |
|--------------------------------------|---|--------------------------|
| <b>LATOYA RIPPY,</b>                 | : |                          |
|                                      | : |                          |
| Plaintiff,                           | : |                          |
|                                      | : |                          |
| v.                                   | : | Civil Action No. 19-1839 |
|                                      | : |                          |
| <b>CITY OF PHILADELPHIA, et al.,</b> | : |                          |
|                                      | : |                          |
| Defendants.                          | : |                          |

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**CERTIFICATE OF SERVICE**

I, Frank E. Wehr II, hereby certify that on this date I caused the foregoing **Defendant City of Philadelphia's Answer to Plaintiff's Third Amended Complaint with Affirmative Defenses** to be filed electronically, where it is available for viewing and downloading.

Respectfully Submitted,

CITY OF PHILADELPHIA  
LAW DEPARTMENT

Date: March 11, 2020

BY: s/ Frank E. Wehr II  
Frank E. Wehr II  
Assistant City Solicitor